

Neal P. McCurn
 Neal P. McCurn
 U.S. District Judge
 Dated: June 7, 2010
 Syracuse, NY

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF NEW YORK

MIRABELLA FOUNDATION,

Plaintiff,

v.

HOPE LAKE INVESTORS, LLC

Defendant.

Case No.: 5:10-CV-367 (NPM/ATB)

STIPULATION DISCONTINUING ACTION
 WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: May 24, 2010

Robert M. Shafer
 ROBERT M. SHAFER, ESQ.
 RIEHLMAN, SHAFER & SHAFER
 New York State Bar No.: 102579
 Attorneys for Defendant
 397 Route 281, P.O. Box 430
 Tully, New York 13159-0430
 Telephone: (315) 696-8918
 Fax No.: (315) 671-1217

Dated: May 28, 2010

Edward R. Purser
 EDWARD R. PURSER, ESQ.
 New York State Bar No.: 511997
 Attorney for Plaintiff
 4 Lincoln Avenue, Suite 202
 P.O. Box 425
 Cortland, New York 13045
 Telephone: (607) 753-0865
 Fax No.: (607) 753-0831